# City Council Agenda

Council President
Mike Dages

Councilmembers

Tom Boyajian Brian Calhoun Jerry Duncan

City Manager
Andrew T. Souza

Henry T. Perea Cynthia Sterling Larry Westerlund

City Clerk
Rebecca E. Klisch, CMC

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650

The City Council welcomes you to this meeting.

# **April 12, 2005**

If you would like to speak fill out a speaker request form available from the City Clerk's Office and in the Council Chambers. The agenda is available on (<a href="www.ci.fresno.ca.us">www.ci.fresno.ca.us</a>). The Council meeting can also be heard live at the same web site address, and viewed live on Cable Channel 96 from 8:30 a.m. – 4:30 p.m. and re-played beginning at 8:30 p.m.

#### 8:30 A.M. ROLL CALL

Invocation by Councilmember Calhoun

Pledge of Allegiance to the Flag

#### Ceremonial Presentations:

Proclamation of "PUBLIC SAFETY TELECOMMUNCATIONS WEEK" - Mayor Autry and All Councilmembers

Proclamation of "NATIONAL CHILD ABUSE PREVENTION MONTH" - All Councilmembers

Recognition of Community Volunteers-Delta Sigma Theta - Councilmember Sterling

Presentation of P.R.I.D.E. Team Certificates - Reception immediately following - 2<sup>nd</sup> floor fover

Council action on unscheduled items if any shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda. For each matter considered by the Council there will first be a staff presentation followed by a presentation from the project applicant. Testimony from those in attendance will then be taken. All testimony given will be limited to three minutes per person.

The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with one minute remaining and one tone will sound. The speaker should be completing the testimony by the time the red light comes on and two tones sound, indicating that time has expired.

Following is a general schedule of items for Council consideration and action. The City Council may consider and act on an agenda item in any order it deems appropriate. Actual timed items may be heard later but not before the time set on agenda. Persons interested in an item listed on the agenda are advised to be present throughout the meeting to ensure their presence when the item is called.

Approve minutes of April 5, 2005

Action Taken:

Councilmember Reports and Comments

Action Taken:

Approve Agenda

**Action Taken:** 

Adopt Consent Calendar

Action Taken:

# 1. GENERAL CONSENT CALENDAR

(All Consent Calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered immediately following.

- A. \* RESOLUTION 73<sup>rd</sup> amendment to AAR No. 2004-209 appropriating \$213,800 to fully fund the 2004 Lease Revenue Bond Debt Service Payment *(Requires 5 affirmative votes)* Finance Dept. *Action Taken:*
- **B.** \* Award a requirements contract to Kern Turf Supply of Fresno, CA for irrigation equipment and supplies General Services Dept./PR&CS

Action Taken:

**C.** Reject all proposals for security services at Municipal Service Center (MSC) and MSC annex - General Services Dept.

Action Taken:

D. \* Approve acquisition of a street easement from the Central California Society for Prevention of Cruelty to Animals and Fresno County Humane Society for the widening of Hughes Avenue bridge over the Houghton canal – Public Works Dept.

Action Taken:

**E**. Approve conversion of Temporary Use Permit for Ida J. Robinson dba Runway Café at the Fresno Chandler Executive Airport for a ten-year lease – Airports Dept.

Action Taken:

**F.** Approve a Second Amendment to Agreement with HDR Engineering, Inc., for construction engineering services for the new Power Generation Facility (PGF) at the Regional Wastewater Reclamation Facility – Public Works Dept.

# 1. GENERAL CONSENT CALENDAR CONTINUED

- **G. RESOLUTION** Approving the Final Map of Tract No. 5137 and accepting dedicated public uses therein; authorize the Public Works Director, Public Utilities Director, and Planning and Development Director to execute the necessary documents Planning and Development Dept.
  - Action Taken:
- **H.** Approve Supplemental Report for Renewal Agreement between the City of Fresno and Comprehensive Youth Services (CYS) PR&CS

Action Taken:

- I. \* RESOLUTION 77<sup>th</sup> amendment to AAR No. 2004-209 appropriating \$782,600 for payment of debt service on the 2005 Series Lease Revenue Bonds (No Neighborhood Left Behind) (*Requires 5 affirmative votes*) Finance Dept.
- J. \* RESOLUTION Approving establishment of Workers' Compensation benefits for Volunteers and Criminal Offenders engaged in performing work or service for the City of Fresno in accordance with Section 3363.5 of the Labor Code – Personnel Department Action Taken:
- K. \* Authorize the City Manager to execute agreement with County of Fresno Probation Department for the services of a Juvenile Probation Officer to supervise work crews composed of juveniles sentenced to community service Planning and Development Dept.
  Action Taken:

# CONTESTED CONSENT CALENDAR

# 2. GENERAL ADMINISTRATION

A. \* RESOLUTION – Authorizing and approving the borrowing of funds for fiscal year 2005-2006; the issuance and sale of a 2005 Tax Revenue Anticipation Note therefor and participation in the California Communities Cash Flow Financing Program – Finance Dept.

Action Taken:

# 3. CITY COUNCIL

**A.** Final report on marketing plan and package for Roeding Business Park – Councilmember Westerlund *Action Taken:* 

#### 4. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO INITIATE LITIGATION -

Government Code Section 54956.9, Subdivision(c)

- 1. <u>Case Name:</u> The Discovery Center *Action Taken:*
- 5. CLOSED SESSION ANNOUNCEMENTS (IF ANY)

# SCHEDULED COUNCIL HEARINGS AND MATTERS

- 9:00 A.M. Α. SCHEDULED COMMUNICATION - Appearance by William Milton to ask when the City will commence reading the meters currently installed in single-family residential homes
  - B. UNSCHEDULED COMMUNICATION - Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least ten (10) days prior to the desired date.
- 10:00 A.M. RESOLUTION - Requesting the Fresno County Board of Supervisors to overturn a Fresno County Conditional Use Permit No. 3066 authorizing a solid waste transfer station located at 514 North Brawley – Councilmember Sterling

Action Taken:

#### JOINT MEETING WITH THE FRESNO JOINT POWERS FINANCING AUTHORITY 10:30 A.M.

1. GENERAL CONSENT CALENDAR

Resolutions pertaining to the safekeeping of Authority and City funds and property-Finance Dept.

- **RESOLUTION** Designating and authorizing certain Finance Officers of the City of Fresno to take certain actions as required for the prudent financial administration and safekeeping of authority funds and property - (Joint Powers Financing Authority action) Action Taken:
- B. **RESOLUTION** – Authorizing certain Finance Officers of the City of Fresno to sign City checks and various investment and commercial banking documents, and to provide verbal instruction as required for the prudent financial administration and safekeeping of City funds (Council action) Action Taken:

#### **ADJOURN AUTHORITY**

2:00 P.M. Team Clean Air presentation – Councilmember Calhoun

# Action Taken:

Authorization to submit proposals and execute contracts for the San Joaquin Valley Air Pollution Control District's Remove Grant Program – Fresno Area Express

# Action Taken:

**RESOLUTION -** Approving applications for and acceptance of up to \$483,000 in REMOVE II Grant Funds from the San Joaquin Valley Air Pollution Control District and authorizing execution of documents

Action Taken:

#### 3:00 P.M. REZONE APPLICATION CONTINUED HEARINGS - Planning and Development Dept.

The following rezone applications have been reviewed by the Fresno City Planning Commission for recommendation to the City Council

1. CONTINUED HEARING to consider Rezone Application No. R-04-34, and environmental findings, filed by Gary Giannetta Engineering, on behalf of Generation Homes, Inc., pertaining to approximately 34 acres of property located on the northeast corner of N. Polk and W. Clinton Avenues (Property located in District 1)

# Action Taken:

- Consider and adopt Environmental Assessment No. R-04-34/T-5300, Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130) Action Taken:
- **BILL** Amending the Official Zone Map to rezone the subject property from the RR (County b. Rural Residential) zone district to the R-1/UGM (Single Family Residential/Urban Growth *Management)* zone district (to develop a 150-lot SFR subdivision)

### SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

#### 3:00 P.M. REZONE APPLICATION CONTINUED HEARINGS - Planning and Development Dept.

2. CONTINUED HEARING to consider Rezone Application No. R-04-35, and environmental findings, filed by R.W. Greenwood Associates, Inc., on behalf of Ed Poplin, pertaining to approximately 4.94 acres of property located on the northwest corner of N. Maple and E. Powers Avenues (*Property located in District 6*)

### **Action Taken:**

- a. Consider and adopt Environmental Assessment No. R-04-35/T-5340, Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130)

  Action Taken:
- **b. BILL -** Amending the Official Zone Map to rezone the subject property from the AE-20/UGM (Exclusive Twenty Acre Agricultural/Urban Growth Management) zone district to the R-1/UGM (Single Family Residential/Urban Growth Management) zone district (to develop a 22-lot SFR subdivision)

Action Taken:

3. **CONTINUED HEARING** to consider Rezone Application No. R-04-37, and environmental findings, filed by DMP Land Development Company, pertaining to approximately 20 acres of property located on the north side of E. Jensen Avenue between S. Peach and S. Minnewawa Avenues (*Property located in District 5*)

#### Action Taken:

- a. Consider and adopt Environmental Assessment No. R-04-37/T-5313, Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130)
  Action Taken:
- **b. BILL -** Amending the Official Zone Map to rezone the subject property from the AE-5/UGM (Exclusive Five Acre Agricultural/Urban Growth Management) zone district to the R-1/UGM (Single Family Residential/Urban Growth Management) zone district (to develop a 78-lot SFR s **Action Taken:**
- 4. **CONTINUED HEARING** to consider Rezone Application No. R-04-51, and environmental findings, filed by Yamabe and Horn Engineering, on behalf of Century Developers, LLC, pertaining to 8.8 acres of property located on the southeast corner of N. Polk and W. Gettysburg Avenues (*Property located in District 3*) *Action Taken:* 
  - **a.** Consider and adopt Environmental Assessment No. R-04-51/T-5325/C-04-163, Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130)

- b. BILL Amending the Official Zone Map to rezone the subject property from the AE-5/UGM (Exclusive Five Acre Agricultural/Urban Growth Management) zone district to the R-1/UGM (Single Family Residential/Urban Growth Management) zone district (to develop a 44-unit planned development with public streets)
  - Action Taken:
- **5. CONTINUED HEARING** to consider Rezone Application No. R-04-54, and environmental findings, filed by Lennar Homes Fresno, pertaining to 27 acres of property located on the west side of N. Bryan Avenue between W. Shaw and W. Gettysburg Avenues (*Property located in District 2*)
  - a. Consider and adopt Environmental Assessment No. R-04-54/T-5352, Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130)

    Action Taken:
  - **BILL -** Amending the Official Zone Map to rezone the subject property from the RR (*County Rural Residential*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district (to develop a 121-lot SFR subdivision) **Action Taken:**

#### SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

# 3:00 P.M. REZONE APPLICATION CONTINUED HEARINGS – Planning and Development Dept.

6. **CONTINUED HEARING** to consider Rezone Application No. R-04-57, and environmental findings, filed by Ingles-Braun and Associates, on behalf of Landcastle Real Estate, pertaining to approximately 20 acres of property located on the southeast corner of S. Peach and E. Grove Avenues (*Property located in District 5*)

# Action Taken:

- a. Consider and adopt Environmental Assessment No. R-04-57/T-5374, Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130)

  \*\*Action Taken:\*
- **b. BILL -** Amending the Official Zone Map to rezone the subject property from the AE-5/UGM (Exclusive Five Acre Agricultural/Urban Growth Management) zone district to the R-1/UGM (Single Family Residential/Urban Growth Management) zone district (to develop a 93-lot SFR subdivision)

Action Taken:

7. **CONTINUED HEARING** to consider Rezone Application No. R-04-61, and environmental findings, filed by Harbison International, Inc., on behalf of PEM Properties, LLP, pertaining to 4.8 acres of property located on the southeast corner of the W. Gettysburg and N. Barcus Avenue alignments, west of N. Cornelia Avenue (*Property located in District 2*)

#### Action Taken:

- a. Consider and adopt Environmental Assessment No. R-04-61/T-5379, Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130)
  Action Taken:
- **b. BILL -** Amending the Official Zone Map to rezone the subject property from the AE-5/UGM (Exclusive Five Acre Agricultural/Urban Growth Management) zone district to the R-1/UGM (Single Family Residential/Urban Growth Management) zone district (to develop a 20-lot SFR subdivision)

Action Taken:

8. CONTINUED HEARING to consider Rezone Application No. R-04-65, and environmental findings, filed by Gary Giannetta Engineering, on behalf of Ciao Properties, pertaining to 35 acres of property located on the south side of W. Bullard Avenue, west of the intersection of N. Grantland and W. Bullard Avenues (*Property located in District 2*)

#### Action Taken:

- a. Consider and adopt Environmental Assessment No. R-04-65/T-5338, Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130)

  Action Taken:
- **BILL -** Amending the Official Zone Map to rezone the subject property from the RR (County Rural Residential) zone district to the R-1/UGM/cz (Single Family Residential/Urban Growth Management/conditions of zoning) zone district (to develop a 123-lot SFR subdivision) **Action Taken:**
- 9. **CONTINUED HEARING** to consider Rezone Application No. R-04-77, and environmental findings, filed by Yamabe & Horn Engineering, Inc., on behalf of Cambridge & Lennar Homes, pertaining to approximately 20 acres of property located on the south side of E. Kings Canyon Road between S. Armstrong and S. Temperance Avenues (*Property located in District 5*)

# Action Taken:

- a. Consider and adopt Environmental Assessment No. R-04-77/T-5283, Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130) Action Taken:
- **b. BILL -** Amending the Official Zone Map to rezone the subject property from the AE-20/UGM (Exclusive Twenty Acre Agricultural/Urban Growth Management) zone district to the R-1/UGM (Single Family Residential/Urban Growth Management) zone district (to develop a 93-lot SFR subdivision)

# SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

## 3:00 P.M. REZONE APPLICATION CONTINUED HEARINGS - Planning and Development Dept.

- 10. CONTINUED HEARING to consider Rezone Application No. R-04-96, and environmental findings, filed by Blair, Church & Flynn Consulting Engineers, pertaining to 0.95 acre of property located on the west side of North Fowler Avenue between E. Belmont and E. McKenzie Avenues (*Property located in District 5*)

  Action Taken:
  - a. Consider and adopt Environmental Assessment No. R-04-96/TPM 2004-34, Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130)

    Action Taken:
  - **b. BILL -** Amending the Official Zone Map to rezone the subject property from the R-2-A/UGM/cz (Low Density Multiple Family Residential/Urban Growth Management/conditions of zoning) zone district to the R-1/UGM (Single Family Residential/Urban Growth Management) zone district **Action Taken:**
- **HEARING** to consider Rezone Application No. R-04-04, and environmental findings, filed by LZR, Inc., and Toshiko M. Hata, pertaining to 18± acres of property located on the west side of North Polk Avenue between West McKinley and West Clinton Avenues (*Property located in District 3*)
  - a. Consider and adopt Environmental Assessment No. R-04-04/T-5251, Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130)

    \*\*Action Taken:\*\*
  - **b. BILL -** Amending the Official Zone Map to rezone the subject property from the R-R (*County Rural Residential*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district

# SCHEDULED COUNCIL HEARINGS AND MATTERS

April	19 -	9:30 A.M.	Presentation by the Fresno County Transportation Authority Advocates Office on the
			Education of Measure "C", 1986 through the present time – Public Works Dept.
April	19 -	10:00 A.M.	WORKSHOP to consider implementation and use of traffic signal fees and
			implementation of new Community Facilities District (CFD) – Council President Dages
April	19 -	10:30 A.M.	<b>HEARING</b> re: CFD No. 2, Annexation No. 88, Final Tract Map No. 5224
April	19 -	10:35 A.M.	<b>HEARING</b> to consider information concerning the proposed Issuance of
			Industrial development Bonds by the California Statewide Communities
			Development Authority to finance the construction of tempering and drip-dry
			rooms for the improvement and equipping of Busseto Foods, Inc.
April	19 -	10:45 A.M.	<b>HEARING</b> to amend the MFS Resolution re: drainage fee update – Public Works Dept.
April	19 -	11:00 A.M.	<b>HEARING</b> to consider resolution of public use and necessity for the acquisition of
-			permanent easements and rights of way for public street purposes and temporary
			construction easements from the following parcel of real property located at the
			intersection of Blackstone and Bullard Avenues
April	19 -	2:30 P.M.	WORKSHOP regarding T.E.A.M. Clean Air (Public Works Dept.)
April	19 -	3:00 P.M.	<b>HEARING</b> re: Appeal of Condition for Vesting Tentative Tract Map No. 5298/UGM –
•			Planning and Development Dept.
April	19 -	4:30 P.M.	CONTINUED HEARING to consider Fresno City Planning Commission decision
•	-		regarding Conditional Use Permit (CUP) Application No. C-02-226, and environmental
			findings, filed by Wilkins Enterprises
April	19 -	5:00 P.M.	The Fancher Creek Development Project
April	26 -	NO MEETING – COUNCIL BREAK	
May	3 -	9:45 A.M.	Draft 2006-2010 Consolidated Plan.
May	3 -	10:00 A.M.	Presentation of Employee Service Awards (Reception immediately following –
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	4-	40.00 4.14	2 <sup>nd</sup> floor foyer)
May	17 -	10:00 A.M.	HEARING re: Change of services for Tract 5137, Annexation No. 73
May	24 -	10:00 A.M.	<b>HEARING</b> to consider vacation of a portion of Tuolumne Street between the Broadway –
			Fulton alley and Fulton Street (R.I. 1040-D) – Public Works Dept.
May	24 -	11:00 A.M.	Direction to staff regarding proposed charter amendments – Coucilmember Duncan

# (Future workshops – dates to be determined)

**(June) WORKSHOP** – Follow-up discussion regarding Caltrans discussion held 12/7/2004 **WORKSHOP** – Urban Forest

WORKSHOP regarding P.W. and Planning and Development Depts. entitlement application infrastructure requirements